

19 February, 2011

Ms. Marlene Dortch, Secretary
Federal Communications Commission
445 12th St SW
Washington, DC 20554

Re: GN Docket No. 09-191: In the Matter of Preserving the Open Internet
GN Docket No. 09-51: A National Broadband Plan for Our Future
WC Docket 05-25: Special Access Rates for Price Cap Local Exchange Carriers
WC Docket No. 07-52: Broadband Industry Practices
GN Docket No. 09-137: Advanced Telecommunications Deployment
WC Docket No. 10-90: Connect America Fund
CC Docket No. 01-92: Developing a Unified Inter-carrier Compensation Regime
WC Docket No. 07-135: Establishing Just and Reasonable Rates for Local
Exchange Carriers
WC Docket No. 05-337: High-Cost Universal Service Support
CC Docket No. 96-45: Federal-State Joint Board on Universal Service
WC Docket No. 03-109: Lifeline and Link-Up

Ms. Dortch:

This letter is to advise you that my wife, Isobel B. Nichols, and I met on Thursday, 17 February 2011 with Rafi Martina and Charles Mathias of Commissioner Baker's office to discuss issues related to the abovementioned dockets.

We voiced concerns regarding the deleterious impacts of the Commission's "open Internet" rules on our business, on Internet competition, and on consumers in general, as explained at length in my testimony before the House Judiciary Committee's Subcommittee on Intellectual Property, Competition, and the Internet. (A copy of this testimony has been filed in GN Docket 09-191 and WC Docket 07-52 via the Commission's Electronic Comment Filing System and is available at

<http://fjallfoss.fcc.gov/ecfs/document/view?id=7021030088>.

on the FCC's server.) In particular, we voiced concerns about being unable to innovate without permission, and that the regulations - if Congress or the courts do not prevent them from taking effect - would prohibit the very service plans which were most popular with our customers. We reported that the NPRM and the regulations had demonstrably discouraged potential investors, and voiced our concerns that the Report and Order granted standing to lobbyists, as well as other parties with agendas that do not serve the public interest, to file expensive and time-consuming complaints - such as the one which had already been filed against competitive cellular carrier MetroPCS.

We also expressed concerns regarding the Commission's NPRM of 9 February 2011 regarding the Connect America Fund. In particular, we noted that despite the high priority placed on competition by the National Broadband Plan, the proposed policies would disable competition among providers of broadband service by picking winners and

losers. We noted that the "winner take all" auctions proposed in the NPRM would exclude small, rural, and independent Internet service providers - including wireless Internet service providers (WISPs) - even though WISPs are demonstrably the most cost-effective providers for many unserved and underserved rural areas. The policies proposed in the NPRM would therefore waste taxpayer money and harm small and local businesses. We proposed instead that customers with limited access to broadband be furnished with vouchers which they could offer to any provider of broadband service - in essence, creating one auction per customer. We also voiced concern that our small, rural Internet provider, which enables "over-the-top" VoIP but does not provide VoIP itself, would be dragged into the time-consuming morass of intercarrier compensation.

We also voiced our disappointment at the fact that the Commission - perhaps distracted by its efforts to address a nonexistent "problem" via its "open Internet" regulations - had failed to act on the vital issue of ILEC's anticompetitive pricing of special access lines (which had originally been scheduled for action in Q3 2010). We mentioned that, because of the Commission's failure to act, our company has been forced to mortgage its future in an attempt to build expensive, redundant facilities to circumvent Qwest's special access lines. We noted that it would have better served the public interest if we had instead been able to spend the money on expansion of our network to unserved and underserved areas.

Finally, we noted that while we were pleased that the Commission intended to make additional spectrum available via incentive auctions, this spectrum would not be available to small, competitive providers in the absence of spectrum caps and extremely strong preferences (far stronger than have yet been offered) for new market entrants, small entities, and entities which had not yet been able to obtain licensed spectrum due to pre-emptive bids by larger carriers.

This letter is being filed electronically via the Commission's Electronic Comment Filing System as per Section 1.1206(b)(2) of the Commission's rules.

Sincerely,

A handwritten signature in black ink, appearing to read "Laurence Brett Glass". The signature is fluid and cursive, with the first name "Laurence" being more prominent.

Laurence Brett ("Brett") Glass, d/b/a LARIAT
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